

FILED 07 AUG '24 14:50 USDC-ORF

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

3:24-cr-00301-AN

v.

INDICTMENT

DAVID ANTHONY NICHOLS,

18 U.S.C. § 922(g)(1)

**21 U.S.C. § 841(a)(1) and (b)(1)(B)(vi) and
(b)(1)(C)**

Defendant.

18 U.S.C. § 924(c)(1)(A)(i)

Forfeiture Allegations

THE GRAND JURY CHARGES:

COUNT 1

(Felon in Possession of a Firearm)

(18 U.S.C. § 922(g)(1))

On or about June 18, 2023, in the District of Oregon, defendant **DAVID ANTHONY NICHOLS**, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, specifically:

(1) Unlawful Delivery of Methamphetamine, on or about September 3, 2020, in Marion

County Circuit Court, Case Number 18CR71279;

did knowingly and unlawfully possess the following firearm:

(1) a twelve-gauge Mossberg 590 shotgun, serial number V1412280;

which had previously been shipped or transported in interstate or foreign commerce;

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT 2
(Possession with Intent to Distribute Methamphetamine)
(21 U.S.C. § 841(a)(1) and (b)(1)(C))

On or about June 18, 2023, in the District of Oregon, defendant **DAVID ANTHONY NICHOLS**, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT 3
(Possession with Intent to Distribute Fentanyl)
(21 U.S.C. § 841(a)(1) and (b)(1)(B)(vi))

On or about June 18, 2023, in the District of Oregon, defendant **DAVID ANTHONY NICHOLS**, did knowingly and intentionally possess with intent to distribute 40 or more grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propanamide, a Schedule II controlled substance;

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)(vi).

COUNT 4
(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)
(18 U.S.C. § 924(c)(1)(A)(i))

On or about June 18, 2023, in the District of Oregon, defendant **DAVID ANTHONY NICHOLS**, did knowingly possess a Mossberg 590 twelve gauge shotgun, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to-wit: Possession with Intent to Distribute Methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), as set forth in Count 2;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FIRST FORFEITURE ALLEGATION
(Firearm Offenses)

Upon conviction of the offenses alleged in Counts 1 and 4, defendant **DAVID ANTHONY NICHOLS** shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearm and ammunition involved in that offense, and the associated ammunition.

SECOND FORFEITURE ALLEGATION
(Controlled Substance Offense)

Upon conviction of any of the offense alleged Count 2 and Count 3 in this indictment, **DAVID ANTHONY NICHOLS** shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting, or derived from any proceeds obtained, directly or indirectly, as a result of the aforesaid violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations.

Dated: August 6, 2024

A TRUE BILL.

[REDACTED]

Presented by:
NATALIE K. WIGHT
United States Attorney



BRYAN CHINWUBA, ILSB#6323733
Assistant United States Attorney